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priate headings a summary of the matter set forth at greater length in the text. One of the most valuable features of this index is the chronological list of Acts of Assembly from 1713 to 1890, the date of each act serving as a caption of a paragraph of a summarized decision in construction of the statute. In his preface the author expresses the hope that his work may be useful. There is no doubt that this hope will be realized; with Mr. MURPHY'S digest in hand the lawyer will have little difficulty in finding what the courts have said on a given point. The system of references and cross-references is reasonably good, and the division of topics is on the whole satisfactory. What we call "Corporation Law" is as yet a heterogeneous mass, and it would be unfair to criticise the maker of a digest on the ground that his classification is not always logical. There is in this work perhaps too strong a tendency to place implicit reliance in the syllabus of our reported cases as a faithful exponent of the decisions. An examination reveals a few instances in which the opinion of the Court in a digested case does not fully sustain the reporter's syllabus.

On the whole the digest is a good one. It is convenient in size and the general "make-up" of the book is excellent. But the book is only a digest; we cannot assent to the author's statement that it "possesses all the qualities appertaining to a treatise or text-book on the subject of corporations." It contains the materials for a treatise, but then, too, the census tables contain materials for an essay on population.

G. W. P.

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LEADING CASES SIMPLIFIED. A COLLECTION OF THE LEADING CASES OF COMMON LAW, LEADING CASES IN EQUITY AND CONSTITUTIONAL LAW, AND LEADING CASES ON CRIMINAL LAW. Three volumes in one. By PROFESSOR JOHN D. LAWSON. Bancroft, Whitney Company, San Francisco, 1892.

This is not a new edition of Professor LAWSON'S book. The three volumes in which the work originally appeared are now bound together and sold as one volume. This renders the whole more convenient to handle and, we presume, effects a reduction in the price. The change in form,

if not in substance, renders it fitting that something should be said concerning the work itself. In his preface to the first volume the author sets forth his objects as follows: "In this little book I have aimed at these results: (1) To give the student a collection of the acknowledged leading cases on the common law." (Subsequently the author has added Equity, Constitutional and Criminal Law.) (2) "To present these in a style which shall arrest his attention and render it possible for him to acquire their principles readily, and fix those principles in his mind unincumbered by unimportant and sometimes unintelligible facts."

Of the last object it may be said that no praise is too high for the many merits—there are few defects—of Prof. LAWSON'S style. Though the cases are presented in as humorous a light as possible, to use the author's own words, "humor has never been indulged in at the expense of truth."

Since the publication of the "Comic Blackstone," the idea that the dry statements of law can be presented to the student coated with the sugar of absurdity, is very prevalent, and Mr. LAWSON'S book is partly a justification for it. He has shown that many cases can be made funny without sacrificing either the statement of the facts or the principles of law. Of course all discussion of the merits and defects of a principle is necessarily eliminated. But his reports also prove that the facts of many cases are invariably dry. It is seldom that the (humorous?) report of any case on constitutional law will raise a smile on the most risible. In those cases which are really funny the humor will be appreciated much more by a lawyer, who thoroughly knows the cases, and therefore requires no effort to grasp the principles, than by a layman, who reads for the purpose of self-improvement. In fact, one may venture to predict that the value of the work is chiefly as an aid to one desiring to review, and fix in his mind, the principles of the law originally learned in the lecture-room, through text-books, or from the reports. For this purpose, it is well worth reading, not only by the student who desires to prepare for an examination, but by the lawyer who wants to refresh his memory

in the easiest and pleasantest way, of those cases which best illustrate the principles of law.

Prof. LAWSON has published the *Six Carpenters Case* and other reports in rhyme by the "Apprentice of Lincoln's Inn." This fact alone would render the book well worth owning.

Concerning the author's first object, it may be said that there are two ways in which a student can obtain a knowledge of the principles of law: Through a direct examination of the principles themselves as stated in the text-books, or through a review of the reports of cases which illustrate those principles. A mixture of these two ways is the method which has been adopted by most compilers of "Leading Cases." A case is given, and then the principle, together with its modifications, is discussed. Concerning the merits of the system nothing need here be said. Minds are not all cast in the same mould. To many the notes on Smith's "Leading Cases" have proved a mine of information, to others a hopeless labyrinth of confused knowledge. Prof. LAWSON has adopted a radically different principle in his "Leading Cases."

The reader will not only find the fifty or sixty cases which are ordinarily spoken of as leading, simply because they, or the notes which commentators have written to them, are constantly referred to in the opinions of the courts, but some two hundred and fifty additional and carefully selected cases. In fact, many of the cases reported, especially from the American courts, can hardly be called leading, in the sense that they are widely known by the profession. This, however, does not detract from the merits of the work, which is rather a collection of cases in illustration of the leading principles of law, than simply a collection of acknowledged leading cases. The large number of cases enables the compiler not only to illustrate a principle, but often to show its leading modifications without resorting to notes. Thus, in illustrating the law of contracts we have, under the head of "Consideration," not only the rule that forbearance to sue is a sufficient consideration, shown by the case of *Hockenbery v.*

Meyers,<sup>1</sup> but the modification that there must be a legal cause of action is illustrated by the report of *Palfrey v. Portland R. R. Co.*<sup>2</sup> In several instances two or three cases illustrating the same rule are given. Thus, under the head of "Contracts by Post," are reported *Adams v. Lindsell*,<sup>3</sup> *Taylor v. Merchants' Fire Ins. Co.*,<sup>4</sup> and *Household Fire Ins. Co. v. Grant*.<sup>5</sup>

Though there is only one note in the report of sixty odd cases on contracts, one who fixes these cases in his mind will have a very fair idea of the subject. The whole affords, we believe, a much clearer view of the law than could possibly be gained from reading elaborate notes to a smaller number of reported cases.

But all branches of the law are not capable of such simple illustration. The cases illustrating the judicial interpretation of the Statute of Frauds, for instance, give one but an inadequate idea of the confusion of thought which has resulted from the attempt to construe what ought to have been made a part of the law of evidence, as a codification of the substantive law of contracts.

In reporting equity cases, Prof. LAWSON seems to have given up the attempt to give, through the reports of decisions, an adequate outline of the law. Thus, in the very commencement, under the head of Uses and Trusts, in the attempted report of *Tyrrel's case*<sup>6</sup> he says: "The facts need not be given here, for it is sufficient for the student to remember only the important principle it decides. . . . *There cannot be a use upon a use.*" Then follows a note on the Statute of Uses and the doctrine of Trusts. In the same way, it has been found necessary to add a note to almost every equity case in order to give the reader any conception of the law at all. It may be said that the value of the work falls in proportion to the increase in the number of the notes. More cases and less notes would have been advisable.

Dealing with Constitutional law, Prof. LAWSON seems

<sup>1</sup> 34 N. J. L., 346.

<sup>2</sup> Barn & Ald., 681.

<sup>3</sup> 4 Ex. Div., 216.

<sup>4</sup> 4 Allen, 55.

<sup>5</sup> 9 How., 390.

<sup>6</sup> Dyer, 155 a.

to find the same difficulty of illustrating the law as it exists to-day through concise reports of cases. It may be suggested that one of the principal reasons for this is the fact that in this branch the same care in selection of cases, which, with accuracy, conciseness and clearness of statement, is the chief merit of the rest of the work, has not been displayed. Constitutional law has undergone so many modifications of late years, that many cases, once justly called leading, no longer illustrate the present position of the Court.

From the fact that the report of the case of *New York v. Miln*<sup>1</sup> and the report of the *License Cases*<sup>2</sup> are both retained, it is evident that the work has not been revised since 1882, when the last volume was published. Such a revision would have eliminated these two cases, as it is extremely doubtful whether the former expresses the law as it exists to-day, and the latter has been expressly overruled.<sup>3</sup> The logical arrangement of the subject, however, largely redeems this part of the work from these serious defects.

W. D. L.

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A TREATISE ON THE LAWS OF INSURANCE; FIRE, LIFE, ACCIDENT, MARINE; WITH A SELECTION OF LEADING ILLUSTRATIVE CASES, AND AN APPENDIX OF STATUTES AND FORMS. BY GEORGE RICHARDS, OF THE NEW YORK BAR, AND LECTURER ON INSURANCE LAW IN THE SCHOOL OF LAW OF COLUMBIA COLLEGE. New York and Albany: Banks & Brothers, 1892.

This is a book of peculiar interest and importance. It is an admirable work to put into the hands of students, for whose use it is primarily designed. It will also be of service to the profession, as well on account of its clear statement of important principles, as by reason of its satisfactory discussion of the law applicable to standard fire and other policies now in common use. It may, therefore, justly be called an important book, and it is an unusually interesting book, because it represents "the result of an effort to combine the advantages of the two more prominent

<sup>1</sup> 11 Pet., 102.

<sup>2</sup> 5 How., 504.

<sup>3</sup> *Leisy v. Hardin*, 135 U. S., 100.